

**Lisa Nix Green v. PACT Board**  
**Montgomery County Circuit Court, CV-2010-900013**

Two appeals remain pending with the Alabama Supreme Court to challenge the class action settlement which modified the level of tuition and fees paid by PACT. On November 18, 2011, the Alabama Supreme Court granted a stay of the settlement until the merits of the appeal are decided. In accordance with the stay, PACT thereafter paid pre-settlement rates for all invoices that were unpaid as of the date the stay was entered. PACT likewise is paying spring 2012 invoices at the pre-settlement rates.

Additionally, one of the appealing parties made demand for PACT to (1) supplement payment of all invoices that had been paid prior to the November 18, 2011 stay (i.e., those invoices that were paid based upon the settlement rates), and (2) obtain repayment of the attorneys' fees/expenses that had been distributed by the trial court. The appealing party also filed a motion with the Alabama Supreme Court to force PACT to take such action, but that motion was denied. PACT did, however, request that the trial court compel repayment of the attorneys' fees/expenses. PACT's request likewise was denied. If necessary, additional efforts will be taken in that regard following outcome of the appeal.

Final briefs were submitted to the Alabama Supreme Court in November 2011, and it is unknown when a decision will be issued. Until further instructions are received, PACT will continue to pay future tuition and fees at the pre-settlement rates set calculated under Act 2010-725. If the settlement ultimately is upheld on appeal, tuition and fee payments then will resume at the fall 2010 rates. If the settlement is not upheld, the case will be remanded to the trial court for further litigation.